

PATENT COOPERATION TREATY

Chapter II : 11.04.04

Rec'd PCT/PTO

09 MAR 2005

PCT

From the INTERNATIONAL SEARCHING AUTHORITY

To:
MARCONI INTELLECTUAL PROPERTY
Attn. Cardus, Alan Peter
Marrable House, The Vineyards
Great Baddow
Chelmsford, Essex CM2 7QS
UNITED KINGDOM

SEARCHED	INDEXED
SERIALIZED	FILED
3 FEB 2004	

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT
AND THE DECLARATION

(PCT Rule 44.1)

Date of mailing
(day/month/year)

03/02/2004

Applicant's or agent's file reference

P/63766/GPT51

FOR FURTHER ACTION

See paragraphs 1 and 4 below

International application No.

PCT/GB 03/03902

International filing date
(day/month/year)

10/09/2003

Applicant

MARCONI UK INTELLECTUAL PROPERTY LIMITED

1. ☒ The applicant is hereby notified that the International Search Report has been established and is transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.

Where? Directly to the International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland
Facsimile No.: (41-22) 740.14.35

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no International Search Report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.

- ☐ **With regard to the protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Further action(s):** The applicant is reminded of the following:

Shortly after **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

Within **19 months** from the priority date, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later).

Within **20 months** from the priority date, the applicant must perform the prescribed acts for entry into the national phase before all designated Offices which have not been elected in the demand or in a later election within 19 months from the priority date or could not be elected because they are not bound by Chapter II.

Name and mailing address of the International Searching Authority

 European Patent Office, P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Véronique Cornudet-Henschel

NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the PCT Applicant's Guide, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions respectively.

INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only.

What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

When?

Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

How?

Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

What documents must/may accompany the amendments?

Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

The following examples illustrate the manner in which amendments must be explained in the accompanying letter:

1. [Where originally there were 48 claims and after amendment of some claims there are 51]:
"Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
2. [Where originally there were 15 claims and after amendment of all claims there are 11]:
"Claims 1 to 15 replaced by amended claims 1 to 11."
3. [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]:
"Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or
"Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
4. [Where various kinds of amendments are made]:
"Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added."

"Statement under article 19(1)" (Rule 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

It must be in the language in which the international application is to be published.

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

Consequence if a demand for international preliminary examination has already been filed

If, at the time of filing any amendments under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the same time of filing the amendments with the International Bureau, also file a copy of such amendments with the International Preliminary Examining Authority (see Rule 62.2(a), first sentence).

Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, where upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see Volume II of the PCT Applicant's Guide.

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference P/63766/GPT51	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/GB 03/03902	International filing date (day/month/year) 10/09/2003	(Earliest) Priority Date (day/month/year) 11/09/2002
Applicant MARCONI UK INTELLECTUAL PROPERTY LIMITED		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 5 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

☐ the text is approved as submitted by the applicant.

☒ the text has been established by this Authority to read as follows:

INTERACTIVE DIGITAL TELEVISION MESSAGING SYSTEM

5. With regard to the **abstract**,

☐ the text is approved as submitted by the applicant.

☒ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☒ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

1
☐ None of the figures.

INTERNATIONAL SEARCH REPORT

International application No.

PCT 03/03902

Box III TEXT OF THE ABSTRACT (Continuation of item 5 of the first sheet)

A message delivery means is arranged to accept a message from a message source and deliver it to a message recipient device, having a telecommunications system including an Intelligent Network platform including a plurality of applications, each application being stored at a respective Service Control Point with-

in the Intelligent Network platform, the plurality of applications including means to handle received messages and deliver them to the recipient device. A telecommunications system has a message source, a message recipient device and an Intelligent Network platform including a plurality of applications, each application being stored at a respective Service Control Point within the Intelligent Network platform, the plurality of applications including a message delivery means arranged to accept a message from the message source and deliver it to the recipient device. Message source and message recipient can be a digital television system.

INTERNATIONAL SEARCH REPORT

International Application No

PCT/GB03/03902

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 H04M3/50 H04N7/173 H04N7/16 H04M3/53

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 H04M H04N H04Q

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 00 51318 A (ADAMCZYK MARIA ; BRAND JOEL (US); BELL SOUTH INTELLECT PTY CORP (US)) 31 August 2000 (2000-08-31) abstract; figures 3,4 page 4, line 16 -page 5, line 17 page 9, line 24 -page 10, line 15	1,2,8,9, 15
Y		3-7, 10-14
X	US 5 870 454 A (DAHLEN JOHAN) 9 February 1999 (1999-02-09) figures 3,4 column 3, line 34 -column 4, line 9 column 5, line 45 - line 52 column 6, line 33 - line 40 column 6, line 61 -column 7, line 34 column 8, line 15 - line 35 column 9, line 15 - line 45	1,2,8,9
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☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents:

A document defining the general state of the art which is not considered to be of particular relevance

E earlier document but published on or after the international filing date

L document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

O document referring to an oral disclosure, use, exhibition or other means

P document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

Z document member of the same patent family

Date of the actual completion of the international search

22 January 2004

Date of mailing of the international search report

03/02/2004

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Straniero, R

INTERNATIONAL SEARCH REPORT

International Application No

PCT/03/03902

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	WO 00 44173 A (BARTFELD EYAL ; INTEGRA5 COMMUNICATIONS INC (US)) 27 July 2000 (2000-07-27) figures 1,16,18,19 page 2, line 22 -page 3, line 25 page 4, line 2 -page 6, line 13 page 19, line 34 -page 20, line 18 page 21, line 32 -page 23, line 5 ---	3-7, 10-14
A	WO 02 32134 A (EEROLA TUOMAS ; HEIMO LEENA (FI); ALMA MEDIA OYJ (FI); HAERKOENEN J) 18 April 2002 (2002-04-18) figure 1 paragraphs '0005!, '0008!-'0010! paragraphs '0014!-'0018!, '0021! -----	2-6,9-13

INTERNATIONAL SEARCH REPORT

Information on patent family members

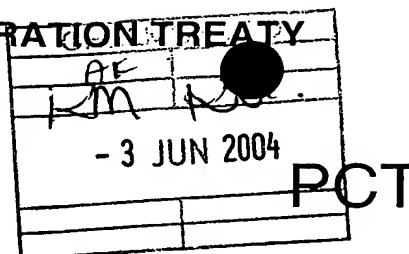
International Application No

PCT/CN/2003/03902

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 0051318	A	31-08-2000	AU 3605000 A	14-09-2000
			CA 2366007 A1	31-08-2000
			EP 1155556 A2	21-11-2001
			WO 0051318 A2	31-08-2000
			US 2003048885 A1	13-03-2003
			US 6650740 B1	18-11-2003
<hr/>				
US 5870454	A	09-02-1999	AU 737134 B2	09-08-2001
			AU 6934898 A	22-10-1998
			BR 9809019 A	01-08-2000
			CN 1258408 T	28-06-2000
			EP 0972398 A1	19-01-2000
			JP 2001517398 T	02-10-2001
			NO 994748 A	01-12-1999
			WO 9844708 A1	08-10-1998
<hr/>				
WO 0044173	A	27-07-2000	IL 129412 A	08-08-2001
			AU 752321 B2	19-09-2002
			AU 3071900 A	07-08-2000
			CA 2351411 A1	27-07-2000
			DE 20022700 U1	24-01-2002
			EP 1149492 A1	31-10-2001
			GB 2349058 A , B	18-10-2000
			WO 0044173 A1	27-07-2000
			JP 2002535932 T	22-10-2002
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WO 0232134	A	18-04-2002	FI 20002231 A	11-04-2002
			AU 9563501 A	22-04-2002
			EP 1354474 A1	22-10-2003
			WO 0232134 A1	18-04-2002
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PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY



To:

CARDUS, Alan Peter
MARCONI INTELLECTUAL PROPERTY
Crompton Close
Basildon
Essex SS14 3BA
GRANDE BRETAGNE

WRITTEN OPINION
(PCT Rule 66)

Date of mailing
(day/month/year) 27.05.2004

Applicant's or agent's file reference
P/63766/GPT51

REPLY DUE within 3 month(s)
from the above date of mailing

International application No.
PCT/GB 03/03902

International filing date (day/month/year)
10.09.2003

Priority date (day/month/year)
11.09.2002

International Patent Classification (IPC) or both national classification and IPC
H04M3/50

Applicant
MARCONI UK INTELLECTUAL PROPERTY LIMITED et al.

1. This written opinion is the **first** drawn up by this International Preliminary Examining Authority.
2. This opinion contains indications relating to the following items:
 - I ☒ Basis of the opinion
 - II ☐ Priority
 - III ☒ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application
3. The applicant is hereby **invited to reply** to this opinion.

When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(d).

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also: For an additional opportunity to submit amendments, see Rule 66.4.
For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4 bis.
For an informal communication with the examiner, see Rule 66.6.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.
4. The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 11.01.2005

Name and mailing address of the international preliminary examining authority:



European Patent Office
D-80298 Munich
Tel. +49 89 2399 - 0 Tx: 523656 epmu d
Fax: +49 89 2399 - 4465

Authorized Officer

Straniero, R

Formalities officer (incl. extension of time limits)
Davis, M
Telephone No. +49 89 2399-2703



I. Basis of the opinion

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed"*):

Description, Pages

1-7 as originally filed

Claims, Numbers

1-15 as originally filed

Drawings, Sheets

1/1 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

5. ☐ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

6. Additional observations, if necessary:

III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been and will not be examined in respect of:

☐ the entire international application,

☒ claims Nos. 7,14

because:

☐ the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (specify):

☒ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. 7,14 are so unclear that no meaningful opinion could be formed (*specify*):

see separate sheet

☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.

☐ no international search report has been established for the said claims Nos.

2. A written opinion cannot be drawn due to the failure of the nucleotide and/or amino acid sequence listing to comply with the Standard provided for in Annex C of the Administrative Instructions:

☐ the written form has not been furnished or does not comply with the Standard.

☐ the computer readable form has not been furnished or does not comply with the Standard.

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	
Inventive step (IS)	Claims	1-6,8-13,15
Industrial applicability (IA)	Claims	

2. Citations and explanations

see separate sheet

Re Item III

Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. **Claims 7 and 14** do not comply with Rule 6 (2)(a) PCT as they refer to "accompanying drawings". Furthermore said claims do not comply with Article 6 PCT as they do not define the matter for which protection is sought in terms of technical features (Rule 6.3(a) PCT).

Consequently no opinion regarding the requirements of Article 33(2) to (4) PCT has been established with regard to these claims.

Re Item V

Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Reference is Made to the following documents

D1: WO-0051318
D2: US-5870454
D3: WO-0044173
D4: WO-0232134

2. The present application does not meet the requirements of Article 33(3) PCT for the following reasons:
 - 2.1 Document **D1**, discloses according to the essential features of **independent claim 8** (text in parentheses refers to D1), a telecommunications system (fig.1) comprising a message source (fig.3, (56) page 14 lines 13-14, being the called party (56) who left a message, the target of the reply call, page 17 lines 17-20), a message recipient device (fig.3, (40), page 4 lines 8-9) and an Intelligent Network platform (fig.3, SCP (46) along with other IN devices) including a plurality of applications, each application being stored at a respective Service control Point

within the Intelligent Network platform (SCP (46) implicitly includes applications running for the operation of the system and in particular for the routing of calls to and from VMS (48)) including a message delivery means arranged to accept a message from the message source and deliver it to the recipient device (fig.3 VMS (48)).

The difference between claim 8 and the disclosure of D1 is that said means to handle received messages and deliver them to the recipient device are executed by an application stored in the SCP. However these functions are in D1 provided by applications running in the Voice Mail System 48 externally from the SCP. Thus, for the skilled person, it would be a mere design choice, not involving any inventive activity, to include the functions (and thus the relevant applications) of the VMS system in the SCP system (especially considering the fact that the VMS and the SCP are indeed computer systems).

As a consequence, independent claim 8 does not meet the requirements of Article 33(3) PCT for lack of inventive step.

It should be noted that the above argumentation could have been based on the equally relevant document **D2**.

- 2.2 The same argumentation applies to **claim 1** which is directed to a message delivery means comprising a telecommunication system with the same feature set of claim 8 with the difference that the system does not comprise the message source and message recipient devices. Thus claim 1 has a broader scope than claim 8.

As a consequence, also independent claim 1 does not meet the requirements of Article 33(3) PCT for lack of inventive step.

- 2.3 Dependent **claims 2-6 and 9-13,15** do not contain any additional features which, in combination with the features of the claims to which they refer meet the requirement of the PCT in respect of inventive step (Article 33(3) PCT) for the following reasons:

- **claim 2** merely defines a list of possible messaging sources which are all well

known in the art.

- **claims 3-5** refer to the use of a Digital Television as recipient and source of the message. This possibility is however known from **D3** (see in particular page 3 line 22-page 7 line 25, page 5 lines 12-26, page 19 lines 2-29, page 18 lines 12-16) which in the field of messaging discloses a system capable of sending and receiving messages through a selectively addressable digital television system. It should be noted that the above argumentation could have been based on the equally relevant document **D4**.

- **claims 6 and 15** are directly derivable from D1 (see in particular D1, page 4 line 27-page 5 line 5).

- the subject matter of **claims 9-13** corresponds to the one contained in **claims 2-6**. Thus the same considerations apply.

Additional Remarks:

1. The present application contains 2 independent apparatus claims (**claims 1 and 8**) of overlapping scope. As a consequence the claims as a whole are not clear and concise, thus not meeting the requirements of Article 6 PCT.

The claims should be recast to include only the minimum necessary number of independent claims in any one category, Rule 6.1(a) PCT, with dependent claims as appropriate, Rule 6.4 PCT.

In the present case it is considered appropriate to use only one independent claim in the apparatus category.

- 1.1 Furthermore **claims 1 and 8** mention "...applications including... means...". Said claims do not comply with the requirements of Article 6 PCT as It is not clear how an "application" (which by definition has no structural character) can "include" structural features.
2. **Claim 1** refers to a "message delivery means...." comprising "...a

telecommunications system including....means to handle received messages and deliver them...". It is not clear the whether these means are the same, or if not, the relation between these means. Thus claim 1 is not clear contrary to Article 6 PCT.

3. **Claims 2-5 and 9-12** use the acronym dTV. However said acronym has no generally accepted meaning in the art contrary to Rule 10(e) PCT.
4. **Claims 5** reads "...the dTV initiates....", however no dTV has been defined in claim 1 to which it refer. Thus also claim 5 does not meet the requirements of Article 6 PCT in terms of clarity. Analogous considerations apply to **claim 12**.
5. All claims should include reference signs relating to the technical features referred to therein, Rule 6.2(b) PCT.